

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

G.O AMERICA SHIPPING COMPANY, ) IN ADMIRALTY  
INC., a corporation registered in the Republic )  
of the Marshall Islands, ) Case No. 2:17-cv-00912-RSM  
Plaintiff, ) **ORDER SETTING AMOUNT AND**  
vs. ) **TERMS OF SPECIAL BOND AND**  
CHINA COSCO SHIPPING CORPORATION ) **AUTHORIZING RELEASE VESSEL**  
LIMITED, a company registered in the People )  
Republic of China, )  
COSCO SHIPPING LINES CO, Ltd. a )  
subsidiary of CHINA COSCO SHIPPING )  
CORPORATION LIMITED, )  
CHINA SHIPPING INDUSTRY, (Shanghai )  
Changxing) Co. Ltd., a subsidiary of CHINA )  
COSCO SHIPPING CORPORATION )  
LIMITED )  
and )  
COSCO SHIPPING HEAVY INDUSTRY )  
CO., subsidiaries of CHINA COSCO )  
SHIPPING CORPORATION LIMITED, )  
Defendants. )

THIS MATTER came before the Court on a Supplemental Admiralty Rule E(5)(a)  
Motion by Specially Appearing Defendant COSCO Atlantic Shipping Ltd. ("Atlantic Shipping")  
Case No.: 2:17-CV-00912-RSM  
ORDER SETTING AMOUNT  
OF SPECIAL BOND AND RELEASING VESSEL - 1

1 for an ORDER (1) fixing the amount of the Special Bond pursuant to Supplemental Admiralty  
2 Rule E(5)(a); (2) deeming sufficient the amount of the Special Bond to serve as substitute as  
3 security for the attached vessel to secure Plaintiff's *in personam* claims against vessel owner  
4 Atlantic Shipping and COSCO Shipping Lines Co., Ltd.; (3) determining the scope and form of  
5 the Special Bond, and, (4) immediately releasing the vessel M/V COSCO TAICANG upon  
6 posting of the Special Bond with the court.

7 Having considered the briefing from the parties and having heard oral arguments thereon  
8 and good cause existing, it is hereby:

9 **ORDERED** that the Motion for fixing the Special Bond amount is **GRANTED**. Atlantic  
10 Shipping shall post security in the form of bond attached hereto and in the amount of \$6 million;  
11 and, further, it is hereby:

12 **ORDERED** that the amount of the Special Bond is deemed sufficient to substitute as  
13 security for Plaintiff's *in personam* claims in this action against the parties on whose behalf the  
14 Special Bond is posted; and, further it is hereby:

15 **ORDERED** that upon posting of the Special Bond herein, no further property shall be  
16 attached by the U.S. Marshal or any Special Process Server pursuant to the court's Order  
17 Authorizing Rule B Attachment of Assets (ECF No. 8) and Writ of Attachment and Garnishment  
18 Pursuant to Rule B (ECF No. 8-1), including but not limited to the M/V COSCO EUROPE and  
19 M/V COSCO KAOHSIUNG; and, further, it is hereby:

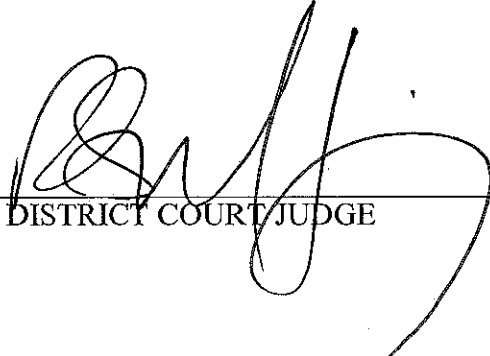
20 **ORDERED** that the Special Bond is given without waiver of or prejudice to Atlantic  
21 Shipping's or Defendants' rights and defenses, including but not limited to with respect to any  
22 issues arising out of the Amended Verified Complaint (ECF No. 6) or otherwise in this action,  
23 the underlying claims discussed therein, and the right to assert any defenses or rights or wrongful  
24 attachment claims in respect of Plaintiff's attachment of the M/V COSCO TAICANG in this  
25 action; and, further, it is hereby

26 **ORDERED** that upon posting of the Special Bond by Atlantic Shipping via filing  
27 through the court's ECF system, the Office of the United States Marshal shall, without further  
28

1 order from this Court, immediately release from attachment the M/V COSCO TAICANG,  
2 including, HER ENGINES, BOILERS, TACKLES, APPURTENANCES, FURNITURE, GEAR  
3 AND BUNKERS, etc., and to undertake whatever additional action is necessary to permit the  
4 vessel to sail forthwith. It is not necessary for a Deputy Marshal to proceed to the vessel for the  
5 release of the M/V COSCO TAICANG. The release may be communicated and made effective  
6 by provision of a copy of this Order, by facsimile or email, to the office of the United States  
7 Marshal and to the Substitute Custodian for the vessel.

8 **IT IS SO ORDERED.**

9 DATED this 6<sup>th</sup> day of July, 2017.

10  
11   
12 U.S. DISTRICT COURT JUDGE

13 Presented by:

14 /s/ Philip R. Lempriere  
15 Philip R. Lempriere, WSBA No. 20304  
16 Molly J. Henry, WSBA No. 40818  
17 Attorneys for COSCO Atlantic Shipping Ltd.  
18 Keesal, Young & Logan  
19 1301 Fifth Avenue, Suite 3100  
20 Seattle, Washington 98101  
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23 Email: [philip.lempriere@kyl.com](mailto:philip.lempriere@kyl.com)  
24 [molly.henry@kyl.com](mailto:molly.henry@kyl.com)

25 Agreed to as form:

26 /s/ Edward C. Chung  
27 Edward C. Chung, WSBA No. 34292  
28 Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

G.O AMERICA SHIPPING COMPANY, ) IN ADMIRALTY  
INC., a corporation registered in the Republic )  
of the Marshall Islands, ) Case No. 2:17-cv-00912-RSM  
Plaintiff, ) **SUPPLEMENTAL ADMIRALTY RULE B**  
 ) **RELEASE BOND**  
vs. )  
CHINA COSCO SHIPPING CORPORATION )  
LIMITED, a company registered in the People )  
Republic of China, )  
COSCO SHIPPING LINES CO, Ltd. a )  
subsidiary of CHINA COSCO SHIPPING )  
CORPORATION LIMITED, )  
CHINA SHIPPING INDUSTRY, (Shanghai )  
Changxing) Co. Ltd., a subsidiary of CHINA )  
COSCO SHIPPING CORPORATION )  
LIMITED )  
and )  
COSCO SHIPPING HEAVY INDUSTRY )  
CO., subsidiaries of CHINA COSCO )  
SHIPPING CORPORATION LIMITED, )  
Defendants. )

1 KNOW ALL MEN BY THESE PRESENTS, that COSCO Atlantic Shipping, Ltd., as  
2 principal, and Aspen American Insurance Company, as surety, are held and firmly bound unto  
3 the United States Marshal for the Western District of Washington, his successor and successors,  
4 for the benefit of G.O. America Shipping Company, Inc., in the sum of \$6 million DOLLARS on  
5 any recoverable statutory costs that might be awarded under the Federal Rules of Civil  
6 Procedure, the Supplemental Admiralty Rules, and the General Maritime Law of the United  
7 States, but not including contractual attorney fees or costs.

8 WHEREAS G.O. America Shipping Company, Inc. as Plaintiff filed an Amended  
9 Verified Complaint against various *in personam* Defendants in the United States District Court  
10 for the Western District of Washington on June 23, 2017, and numbered 2:17-cv-00912-RSM, on  
11 the docket of said Court, commanding the Marshal to attach under Supplemental Admiralty Rule  
12 B and take into his possession the M/V COSCO TAICANG, as security for the claims more fully  
13 described in the Amended Verified Complaint;

14 WHEREAS it is intended by the parties hereto that the rights of Plaintiff G.O. America  
15 Shipping Company, Inc. are and shall be precisely the same as though the M/V COSCO  
16 TAICANG remained under attachment;

17 NOW, THEREFORE, Aspen American Insurance Company, as surety, does hereby  
18 undertake to pay the amount awarded by final judgment in the United States District Court for  
19 the Western District of Washington, after appeals if any, to the Plaintiff G.O. America Shipping  
20 Company, Inc., against COSCO Atlantic Shipping, Ltd., and COSCO Shipping Lines Co., Ltd.,  
21 up to the amount set forth above, then this obligation shall be void, otherwise the same shall  
22 remain in full force and effect. However, in no event shall the aggregate liability of the surety  
23 exceed \$6 million DOLLARS.

24 It is understood and agreed that the signing of this pleading by KEESAL, YOUNG &  
25 LOGAN, P.C. is in a representative capacity only and shall not be binding upon them, but is  
26 binding upon COSCO Atlantic Shipping, Ltd., as principal, and Aspen American Insurance  
27 Company, as surety.  
28

1 DATED this \_\_\_\_ day of July, 2017.

DATED this \_\_\_\_ day of July, 2017.

2 **ASPEN AMERICAN INSURANCE**  
3 **COMPANY**

**COSCO ATLANTIC SHIPPING LTD.**

4 **KEESAL, YOUNG & LOGAN**

5 BY: \_\_\_\_\_

5 BY: \_\_\_\_\_

6 Philip R. Lempriere, WSBA No. 20304

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8 Seattle, Washington 98101

9 E mail: [philip.lempriere@kyl.com](mailto:philip.lempriere@kyl.com)

10 Attorneys for Claimant COSCO Atlantic  
11 Shipping, Ltd.